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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,435	01/20/2004	Ki Won Kim	3449-0300P	7766

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EXAMINER

ZANELLI, MICHAEL J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/759,435	Applicant(s) KIM, KI WON	
	Examiner Michael J. Zanelli	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6,9,11,12 and 15-17 is/are allowed.
- 6) ☒ Claim(s) 2,7,8,10,13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Handwritten signature/initials

DETAILED ACTION

1. The application filed 1/20/04 has been examined. Claims 1-17 are pending.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. Claims 2, 8, 10, 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. As per claim 2, the claim is indefinite because of the use of the alternative "and/or". The examiner suggests using the phrase --at least one of ... and ...--.

B. As per claim 8, "the mobile communication network" lacks antecedence.

C. As per claim 10, the claim is unclear as to what is meant by "economical" as used in the claim. The specification does not appear to provide any clear explanation as to the meaning of the term.

D. As per claims 13 and 14, it is unclear from the claims as to the difference between "the traffic condition input location" and "the traffic condition selecting location" since both locations appear to define the same point.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for

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purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Möhlenkamp et al. (6,178,374).

A. As per claim 7, Möhlenkamp discloses a navigation system (Fig. 1) comprising a navigational terminal (30) mounted in a vehicle for providing navigation and traffic information (col. 5, lines 39-44); a traffic information center (20) for collecting and analyzing traffic information transmitted from a plurality of vehicles and providing traffic information (Abs); and mobile communication network for enabling the navigation terminal (30) and the traffic center (20) to communicate (Fig. 1; col. 2, lines 3-18).

6. Claim 7 is further rejected under 35 U.S.C. 102(e) as being anticipated by Andrews et al. (6,711,493).

A. As per claim 7, Andrews discloses a navigation system (Fig. 1) comprising a navigation terminal (Fig. 3) for providing navigation and traffic information (Fig. 6; col. 3, lines 13-18, 52-56; col. 5, line 21 to col. 6, lines 12; col. 7, lines 55-62); a traffic information center (104) for collecting and disseminating traffic information (col. 3, lines 15-18); and mobile communication network (102) for enabling the navigation terminal (Fig. 3) and the traffic center (104) to communicate (col. 3, lines 31-46).

7. Claims 1-6 and 8-17 are distinguishable over the prior art. As per claim 1, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, an apparatus for providing traffic information which includes input means for selecting a traffic condition of a current road and wireless communication means for transmitting the

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traffic condition of the road. As per claim 9, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, a method for providing traffic information which includes transmitting a traffic information message to a traffic information center whereby the message includes a selected traffic condition, current position and current velocity. Dependent claims 2-6, 8 and 10-17 are distinguishable for at least the same reasons.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents are of general interest.

9. Claims 1, 3-6, 9, 11, 12 and 16-17 are allowed.

10. Claims 2, 8, 10, 13 and 14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (571) 272-6969.

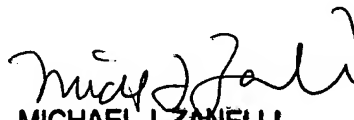
The examiner can normally be reached on Monday-Thursday 8:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz


MICHAEL J. ZANELLI
PRIMARY EXAMINER